

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TIMOTHY GALES, :
Plaintiff, : **CASE NO. 2:21-CV-328**
v. : **JUDGE MICHAEL H. WATSON**
THOMAS P. CHARLES, et al., : **MAGISTRATE JUDGE
KIMBERLY A. JOLSON**
Defendant. :

DECLARATION OF TIMOTHY MILLER

Declarant states as follows:

1. My name is Timothy Miller. I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the matters stated herein.
2. I am currently employed by the Ohio Attorney General's Office as an Assistant Attorney General, and I represent Defendants Thomas P. Charles, John Born, Paul Pride, James Hogan, and Cullen Jackson in the above-captioned lawsuit filed by Plaintiff Timothy Gales.
3. I was notified on July 12, 2022, that Gales had called the Employment Law Section of the Ohio Attorney General's Office regarding his case, and he left a number where he could be reached. I subsequently called the number Gales provided, and it was disconnected. On July 22, 2022, I sent Gales an email informing him that I had tried to call him but was unsuccessful. I asked him if he was available for a call and for a good number where he could be reached. He never responded. Attached as Defendants' Exhibit A is a true and accurate copy of the July 22, 2022, email that I sent to Gales.

4. I have never discussed the issue of service or waiver of service with Gales, and I have never represented to him that I am authorized to accept service of his Summons and Complaint in the above-captioned case on behalf of Defendants Charles, Born, Pride, Hogan, and Jackson.

Declarant further sayeth not.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 27, 2022.

/s/ Timothy M. Miller
Timothy Miller

From: [Timothy Miller](#)
Sent: Friday, July 22, 2022 3:35 PM
To: ['tgales37@gmail.com'](mailto:tgales37@gmail.com)
Cc: [Cathleen Slater](#)
Subject: Lawsuit

Mr. Gales:

I understand that you called the Employment Law Section of the Ohio Attorney General's Office last week in regard to a lawsuit you filed against Tom Charles, Paul Pride, John Born, and Jim Hogan.

Cathleen Slater and I tried to call you back, but we could not get through. Are you available for a call with us this coming Monday afternoon or Tuesday morning? And, if so, what number should we call?

Timothy M. Miller
Assistant Attorney General – Court of Claims Defense
Office of Ohio Attorney General Dave Yost
Office Number: (614) 466-7447
Fax Number: (614) 644-9185
Timothy.Miller@OhioAGO.gov

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DEFENDANT'S
EXHIBIT

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